

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

MENDEL PANETH,

Debtor.

Chapter 11

Case No. 22-41414-nhl

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**ORDER SCHEDULING A HEARING ON SHORTENED NOTICE TO CONSIDER
DEBTOR’S MOTION TO ASSUME THE CONTRACT AND APPROVE THE
RETENTION OF DITOMMASO REAL ESTATE AS A REAL ESTATE BROKER TO
THE DEBTOR AND DEBTOR-IN-POSSESSION**

Upon the *ex parte* motion dated August 30, 2022 (the “Motion to Shorten Time”) of Mendel Paneth, the Debtor and Debtor-in-Possession herein (the “Debtor”), by and through its proposed counsel, seeking entry of an Order scheduling a hearing on shortened notice to consider the Debtor’s underlying motion [ECF No. 22-1] (the “Motion to Assume the Contract and Approve Retention of DiTommaso Real Estate”), pursuant to 11 U.S.C. §§ 330(a) and 365(a), for authority to assume the Listing Agreement for Sale of Real Property (the “Contract”) by and between the Debtor and DiTommaso Real Estate and to retain DiTommaso Real Estate as Real Estate Broker to the Debtor; and after due deliberation thereon and it appearing that good cause exists within the meaning of E.D.N.Y. Local Bankruptcy Rules 9077-1(c); now, therefore, it is hereby

ORDERED, that:

1. The Motion to Shorten Time is hereby granted to the extent provided herein, pursuant to Bankruptcy Rule 9006(c)(1) and E.D.N.Y. Local Bankruptcy Rule 9077-1(c).
2. Notice of Motion to Assume the Contract and Approve Retention of DiTommaso Real Estate is hereby shortened and limited as provided herein.
3. A hearing will be conducted by videoconference, using the Zoom platform (the “Hearing”), on **September 13, 2022, at 2:00 p.m.**, before the Honorable Nancy Hershey Lord,

U.S.B.J., United States Bankruptcy Court, Eastern District of New York, to consider the relief requested in the Debtor's Motion to Assume the Contract and Approve Retention of DiTommaso Real Estate.

4. Prior to the Hearing, all participants (including attorneys, clients, and *pro se* parties) **shall register their appearances through the Court's eCourt Appearances program**, as more fully set forth on the Court's website, at <https://www.nyeb.uscourts.gov/content/judge-nancy-hershey-lord>. Once registered, eCourt Appearances will email the Zoom dial-in number and video link for the corresponding hearing(s). Additional information for accessing eCourt Appearances is available at <https://www.nyeb.uscourts.gov/node/2126>. Those participants who do not have CM/ECF accounts may access eCourt Appearances at <https://ecf.nyeb.uscourts.gov/cgi-bin/nyebAppearances.pl>. Those unable to access eCourt Appearances must email the Courtroom Deputy, at nhl_hearings@nyeb.uscourts.gov, at least two (2) business days prior to such Hearing, which email shall include: (i) your name and phone number, (ii) the case number of the matter for which you are appearing; (iii) the hearing date and time; and (iv) which party you represent (if applicable).

[Order continues on following page]

5. The following shall constitute good and sufficient service and notice of this Order and of the Motion to Assume the Contract and Approve Retention of DiTommaso Real Estate, and of the Hearing scheduled thereon:

(a) The filing of the Motion to Assume the Contract and Approve the Retention of DiTommaso Real Estate electronically on the Court's docket such that it is available at the Court's website; and (NHL)

(b) Service via ~~first-class mail~~ overnight or priority mail (NHL), or by fax or email (for any parties that have (or deemed to have) consented to service by electronic transmission pursuant to E.D.N.Y. LBR 9036-2), of (a) the Motion to Assume the Contract and Approve Retention of DiTommaso Real Estate, and (b) a copy of this Order, so as to be received no later than Tuesday, September 6, 2022, at 10:00 a.m. (NHL), by the following parties:

(i) the United States Trustee;

(ii) all of the Debtor's known creditors and interested parties in this case; and

(iii) DiTommaso Real Estate (NHL); and

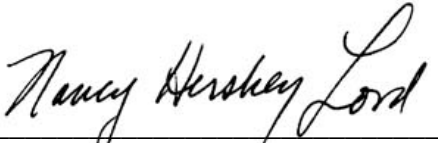
(iv) all parties who filed a notice of appearance in this case.

6. On or before September 6, 2022, the Debtor shall file proof of service in accordance with this Order with the Court. (NHL)

4. Objections, if any, to the Motion to Assume the Contract and Approve the Retention of DiTommaso Real Estate may be heard at the Hearing.

Dated: September 1, 2022
Brooklyn, New York




Nancy Hershey Lord
United States Bankruptcy Judge